PCT/US95/07283 (WO 96/39421) by Human Genome Sciences, Inc. Each VEGF family member has between 30% and 45% amino acid sequence identity with VEGF. The VEGF family members share a VEGF homology domain which contains the six cysteine residues which form the cystine-knot motif. Functional characteristics of the VEGF family include varying degrees of mitogenicity for endothelial cells, induction of vascular permeability and angiogenic and lymphangiogenic properties.

a1 Cont

IN THE CLAIMS

Please cancel claims 5-11, 19-22, 27-48 and 64-71, without prejudice or disclaimer.

REMARKS

An apparent clerical error in the patent number appearing at Page 3, line 25 has been corrected. No new matter is incorporated by this amendment.

Responsive to the requirement for restriction, applicants hereby provisionally elect the claims of Group I, namely, claims 1-3, 12-13, 18, 23-24, 26, 49-55 and 63 for examination in the instant application. This election is made with partial traverse.

Non-elected claims 5-11, 19-22, 27-48 and 64-71 have been canceled without prejudice to, or disclaimer of, applicants' rights to prosecute the subject matter thereof in one or more appropriate divisional applications.

Insofar as the restriction requirement purports to require restriction between the monomeric monocyclic peptide claims of Group I and the dimeric bicyclic peptide claims of Group II, it is respectfully traversed.

The restriction between Groups I and II is assertedly justified on grounds that the claimed subject matter is "unrelated". This is **not** correct. The monomers and dimers **are** related. The claimed dimers actually comprise the claimed monomers. Thus, they stand in the relationship element and combination, where the element is part of the claimed combination (the monomer is part of the claimed dimer).

Moreover, they are expressly disclosed as capable of use together, since the dimer cannot be used without also using the monomer which forms a part thereof.

Thus, the asserted grounds for requiring restriction between the claimed monomers and dimers are clearly erroneous, and the requirement for restriction between these two groups of claims cannot stand.

Responsive to the requirement for election of species, applicants hereby elect the species comprising cyclic peptide No. 2, as identified in Table 1 on Page 32 of the application. Claims 1-3, 12, 13, 18, 23, 24, 26, 49-51, 53, and 63 are deemed to read on the elected species. Numerous claims, including but not limited to claims 1, 12, 18, 23, 26, and 49-51 are generic.

Favorable action on the application is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #1064/48505).

Respectfully submitted,

April 24, 2002

J. D. Evans
Registration No. 26,269

CROWELL & MORING, LLP
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JDE:dcb

APPENDIX SHOWING MARK-UP VERSION OF REPLACEMENT PARAGRAPH

Eight different proteins have been identified in the PDGF/VEGF family, namely two PDGFs (A and B), VEGF and five members that are closely related to VEGF. The five members closely related to VEGF are: VEGF-B, described in International Patent Application PCT/US96/02957 (WO 96/26736) and in U.S. Patents 5,840,693 and 5,607,918 by Ludwig Institute for Cancer Research and The University of Helsinki; VEGF-C or VEGF2, described in Joukov *et al.*, *EMBO J.*, **15:** 290-298, 1996, Lee *et al.*, *Proc. Natl. Acad. Sci. USA*, **93:** 1988-1992, 1996, and U.S. Patents 5,932,540 and [5,935,540] 5,935,820 by Human Genome Sciences, Inc; VEGF-D, described in International Patent Application No. PCT/US97/14696 (WO 98/07832), and Achen *et al.*, *Proc. Natl. Acad. Sci. USA*, **95:** 548-553, 1998; the placenta growth factor (PlGF), described in Maglione *et al.*, Proc. Natl. Acad. Sci. USA, **88:** 9267-9271, 1991; and VEGF3, described in International Patent Application No. PCT/US95/07283 (WO 96/39421) by Human Genome Sciences, Inc. Each VEGF family member has between 30% and 45% amino acid sequence identity with VEGF. The VEGF family members share a VEGF homology domain which contains the six cysteine residues which form the cystine-knot motif. Functional characteristics of the VEGF family include varying degrees of mitogenicity for endothelial cells, induction of vascular permeability and angiogenic and lymphangiogenic properties.